THE HON'BLE MR JUSTICE R.SUBHASH REDDY

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WRIT PETITION No: 2101 of 2000

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Dated 23-08-2005

Between:

M.Poorna Ramachandra Rao.

..... PETITIONER

AND

Visakhapatnam Steel Plant.

.....RESPONDENT

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ORDER:

This writ petition is filed seeking a direction particularly a Writ in the nature of Mandamus to direct the respondent to appoint the petitioner as Junior Trainee or any other suitable post under Rehabilitation Scheme introduced for the Land oustees affected by acquisition for Visakhapatnam Steel Plant.

In the affidavit filed in support of the petition, it is the case of the petitioner that he was one of the affected persons in acquisition of lands for Visakhapatnam Steel Plant and, therefore, he is entitled for a suitable post under the Rehabilitation Scheme introduced by the Government. It is also stated that R-cards were given to the eligible persons and R-card No.555 of Gangavaram village was given to the petitioner. Pursuant to the order in W.A.No.608 of 1997, in which, the Division Bench of this Court upheld the order passed by the learned Single Judge, wherein, directions were given to consider the appointment subject to the scheme notified, the present writ petition is filed.

A counter-affidavit is filed on behalf of the respondent. It is merely stated that the name of the petitioner was not sponsored from the concerned employment exchange to consider his candidature for the vacancies, which were notified earlier and as such the name of the petitioner was not considered.

Further, in the same breath, it is stated in the counter affidavit that the case of the petitioner can be considered for a suitable vacancy whenever the same is notified and the petitioner is sponsored by the employment exchange.

Though the petitioner has relied on the Rehabilitation Scheme, a copy of the same is not filed in the material papers. But, however, even from the counter affidavit, it appears that the case of the petitioner has not been considered only for want of vacancies. The question as to whether the petitioner is an eligible candidate for the post he claimed is a matter to be considered by the authority. In view of the same, no positive direction can be given to appoint the petitioner as a Junior Trainee or to any other post under the Rehabilitation Scheme.

In that view of the matter, I feet it appropriate to direct the respondent to consider the case of the petitioner whenever vacancies arise, if, he is otherwise eligible for the same post or to any other post, under the Rehabilitation Scheme notified for the beneficiaries of the land acquisition for the Visakapatnam Steel Plant.

Subject to the above direction, the writ petition is disposed of. No order as to costs.

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R.SUBHASH REDDY, J

Date: 23-08-2005

Prv